

ESTTA Tracking number: **ESTTA265821**

Filing date: **02/11/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91186494
Party	Defendant Brown, Anthony
Correspondence Address	BROWN, ANTHONY 400 SW 25TH TER FT LAUDERDALE, FL 33312-1415 UNITED STATES ablebody123715@att.net
Submission	Response to Board Order/Inquiry
Filer's Name	Anthony Brown
Filer's e-mail	ablebody123715@att.net
Signature	/Anthony Brown/
Date	02/11/2009
Attachments	koolinitialdisclosures.pdf (5 pages)(105601 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK AND TRIAL APPEAL BOARD

In the Matter of Application Serial No. 77/355857: KOOL
Published in the *Official Gazette* of July 22nd 2008, in International Class 32

KRAFT FOODS GLOBAL BRANDS LLC,

Opposition No. 91186494

Opposer,

v.

ANTHONY BROWN,

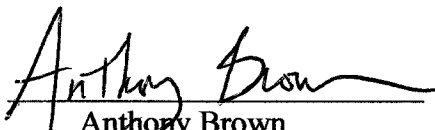
Applicant.

APPLICANT'S INITIAL DISCLOSURES

Pursuant to the Trademark Trial and Appeal Board Rules, Anthony Brown ("Applicant")
provides the following information:

Initial Disclosures were served on Opposer on 2/8/09 via FAX to (847) 646-6005 and U.S.

1st Class Mail which is hereby documented as Exhibit A.



Anthony Brown
400 SW 25th Terrace
Ft. Lauderdale, Fl. 33312

Dated: 2/11/09

Certificate of Service

I hereby certify that a true and correct copy of the foregoing has been furnished via U.S. Mail 1st
Class on this 6th Day of December to: Kraft Foods Global Brands- Att: Mary Carragher-Three
Lakes Drive # NF-577 Northfield, IL60093



Anthony Brown 2/11/09

EXHIBIT A

TRANSMISSION VERIFICATION REPORT

TIME : 02/08/2009 16:03
NAME :
FAX :
TEL :
SER.# : 000J6J798523

DATE, TIME
FAX NO./NAME
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KRAFT FOODS GLOBAL BRANDS LLC,

Opposition No. 91186494

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ANTHONY BROWN,

Applicant.

APPLICANT'S INITIAL DISCLOSURES

Pursuant to the Trademark Rules Section 2.120 Anthony Brown (Applicant) hereby provides its
initial disclosures as follows:

(1)(A) POTENTIAL WITNESSES:

Anthony Brown
400 SW 25th Terrace
Ft. Lauderdale, Fl. 33312

Knowledge of defenses and use of Applicant's trademark "Kool"

Corporate Representatives of Plaintiff's Kraft Foods Global Brands LLC
c/o Matthew Griffin, Esq.
Three Lakes Drive # NF-577
Northfield, IL 60093

Knowledge of claims and Opposer's use of its "Kool-Aid" marks.

Through discovery and other investigations, Applicant may designate other potential witnesses to
this case with knowledge of facts and circumstances which support their claim.

(1)(B) DOCUMENTS:

USPTO documents

TTAB documents

Kool- Aid label samples

Kool Kat label samples

Settlement Agreement between Pepsi Americas and Kraft Foods Global Brands, LLC /Kraft Foods Holdings Inc.

Documents in public record using the word Kool.

Because discovery is ongoing, Applicant reserves the right to supplement these disclosures.

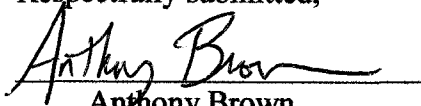
(1)(C) DAMAGES:

N/A

(1)(D) INSURANCE:

None

Respectfully submitted,

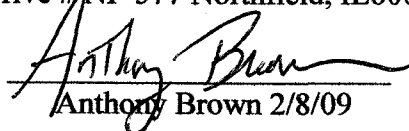


Anthony Brown

Dated: 2/8/09

Certificate of Service

I hereby certify that a true and correct copy of the foregoing has been furnished via U.S. Mail 1st Class and via FAX to (847) 646-6005 on this 8th Day of February 2009 to: Kraft Foods Global Brands- Att: Matthew Griffin-Three Lakes Drive #NF-577 Northfield, IL60093



Anthony Brown 2/8/09